HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G.BHAVANI PRASAD

WRIT APPEAL No.211 of 2006

Between:

Ch. Chenchu Ramaiah …Appellant.

AND

State of Andhra Pradesh, rep. by
its Principal Secretary, Secretariat,
Hyderabad & others. …Respondents.

:: JUDGMENT ::

Counsel for the Appellant : Sri Satyanarayana Nimmagadda

Counsel for the Respondents : Government Pleader for Roads & Buildings.

27th FEBRUARY 2006

Per G.S.Singhvi, C.J.

This appeal is directed against order dated 26-4-2005 passed by the learned Single Judge whereby he dismissed the writ petition filed by the appellant for award of

compensation in lieu of utilisation of his land by the Roads and Buildings Department for construction of road.

Although we are convinced that the learned Single Judge did not commit any illegality by refusing to entertain the prayer of the appellant because he failed to produce any tangible affidavit on the record of the writ petition that his land was utilised by the Department, we consider it proper to dispose of the appeal with a direction that if the appellant makes a representation to the competent authority for award of compensation in lieu of utilisation of his land for construction of road and such representation is duly supported by document containing the title of his property and utilisation thereof for construction of road, then the same shall be decided by the concerned authorities within two months of its submission. If the appellant feels aggrieved by the decision of the competent authority, then he shall be free to avail appropriate legal remedy.

With the above observations, the appeal is disposed of.

G.S. SINGHVI, C.J.

27th February, 2006.

G.BHAVANI PRASAD, J.

ARS